

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE	
Case 10-CA-290959	Date Filed 2/22/2022

INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer McDonald's		b. Tel. No. (864) 295-9095
		c. Cell No.
		f. Fax No.
d. Address (Street, city, state, and ZIP code) 3435 SC 153 SC Piedmont 29673	e. Employer Representative (b) (6), (b) (7)(C)	g. e-mail
		h. Number of workers employed 30
i. Type of Establishment (factory, mine, wholesaler, etc.) Restaurants	j. Identify principal product or service Fast food	

The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) 1 of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

--See additional page--

(b) (6), (b) (7)(C) filing charge (if labor organization, give full name, including local name and number)

4a. Address (Street and number, city, state, and ZIP code) (b) (6), (b) (7)(C)	4b. Tel. No. (b) (6), (b) (7)(C)
	4c. Cell No.
	4d. Fax No.
	4e. e-mail (b) (6), (b) (7)(C)

5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)

6. DECLARATION

I declare that I have read the above charge and that the statements
are true to the best of my knowledge and belief.

(b) (6), (b) (7)(C)

(signature of representative or person making charge)

(Print/type name and title or office, if any)

Address

Date 02/21/2022 07:12:44 PM

Tel. No.

Office, if any, Cell No.

Fax No.

e-mail

**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.

Basis of the Charge

8(a)(1)

Within the previous six-months, the Employer has interfered with, restrained, and coerced its employees in the exercise of rights protected by Section 7 of the Act by maintaining work rules that prohibit employees from discussing wages, hours, or other terms or conditions of employment.

Additional Information in Support of Charge

Charging Party Name : (b) (6), (b) (7)(C)

Inquiry Number : (b) (6), (b) (7)(C)

Date Submitted : 02/21/2022 07:12:44 PM

Please provide a brief description of the specific conduct involved in your charge. The information you provide may be viewed by the charged party in the event of a formal proceeding, so PLEASE DO NOT GIVE A DETAILED ACCOUNT OF YOUR CHARGE OR A LIST OF POTENTIAL WITNESSES AT THIS TIME. A Board Agent will contact you to obtain this and other detailed information after your charge is docketed. After you submit this E-Filed Charge form, you will receive a confirmation email with an Inquiry Number (Sample Inquiry Number: 1-1234567890) and a link to the E-Filing web page. You may use the link and the Inquiry number provided in the email to e-file any additional documents you wish to present in support of your charge.

Additional Information Provided:

All employees have be told they will be fired for discussion of any wages or benefits.



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

SUBREGION 11
4035 University Pkwy Ste 200
Winston Salem, NC 27106-3275

Agency Website: www.nlrb.gov
Telephone: (336)631-5201
Fax: (336)631-5210



Download
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February 22, 2022

McDonald's
3435 SC 153
Piedmont, SC 29673

Re: McDonald's
Case 10-CA-290959

Dear Sir or Madam:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Attorney Whitney L. Mosley-Moore whose telephone number is (336)582-7126. If this Board agent is not available, you may contact Deputy Regional Attorney Lisa R. Shearin whose telephone number is (336)582-7142.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, www.nlrb.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board

agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor requests to limit our use of position statements or evidence. Specifically, any material you submit may be introduced as evidence at a hearing before an administrative law judge regardless of claims of confidentiality. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Further, the Freedom of Information Act may require that we disclose position statements or evidence in closed cases upon request, unless an exemption applies, such as those protecting confidential financial information or personal privacy interests.

Preservation of all Potential Evidence: Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

Prohibition on Recording Affidavit Interviews: It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

Correspondence: All documents submitted to the Region regarding your case MUST be filed through the Agency's website, www.nlr.gov. This includes all formal pleadings, briefs, as well as affidavits, documentary evidence, and position statements. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format).

If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge. If you cannot e-file your documents, you must provide a statement explaining why you do not have access to the means for filing electronically or why filing electronically would impose an undue burden.

February 22, 2022

In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and withdrawal letters, electronically to the email address you provide. Please ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlr.gov or from an NLRB office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink, appearing to read 'LH', followed by a long horizontal line extending to the right.

LISA Y. HENDERSON
Regional Director

Enclosures:

1. Copy of Charge
2. Commerce Questionnaire

QUESTIONNAIRE ON COMMERCE INFORMATION

Please read carefully, answer all applicable items, and return to the NLRB Office. If additional space is required, please add a page and identify item number.

CASE NAME	CASE NUMBER 10-CA-290959
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1. EXACT LEGAL TITLE OF ENTITY (As filed with State and/or stated in legal documents forming entity)

2. TYPE OF ENTITY

☐ CORPORATION ☐ LLC ☐ LLP ☐ PARTNERSHIP ☐ SOLE PROPRIETORSHIP ☐ OTHER (Specify)

3. IF A CORPORATION or LLC

A. STATE OF INCORPORATION OR FORMATION	B. NAME, ADDRESS, AND RELATIONSHIP (e.g. parent, subsidiary) OF ALL RELATED ENTITIES
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4. IF AN LLC OR ANY TYPE OF PARTNERSHIP, FULL NAME AND ADDRESS OF ALL MEMBERS OR PARTNERS

5. IF A SOLE PROPRIETORSHIP, FULL NAME AND ADDRESS OF PROPRIETOR

6. BRIEFLY DESCRIBE THE NATURE OF YOUR OPERATIONS (Products handled or manufactured, or nature of services performed).

7A. PRINCIPAL LOCATION:	7B. BRANCH LOCATIONS:
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8. NUMBER OF PEOPLE PRESENTLY EMPLOYED

A. TOTAL:	B. AT THE ADDRESS INVOLVED IN THIS MATTER:
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9. DURING THE MOST RECENT (Check the appropriate box): ☐ CALENDAR ☐ 12 MONTHS or ☐ FISCAL YEAR (FY DATES _____)

	YES	NO
A. Did you provide services valued in excess of \$50,000 directly to customers outside your State? If no, indicate actual value. \$ _____		
B. If you answered no to 9A, did you provide services valued in excess of \$50,000 to customers in your State who purchased goods valued in excess of \$50,000 from directly outside your State? If no, indicate the value of any such services you provided. \$ _____		
C. If you answered no to 9A and 9B, did you provide services valued in excess of \$50,000 to public utilities, transit systems, newspapers, health care institutions, broadcasting stations, commercial buildings, educational institutions, or retail concerns? If less than \$50,000, indicate amount. \$ _____		
D. Did you sell goods valued in excess of \$50,000 directly to customers located outside your State? If less than \$50,000, indicate amount. \$ _____		
E. If you answered no to 9D, did you sell goods valued in excess of \$50,000 directly to customers located inside your State who purchased other goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$ _____		
F. Did you purchase and receive goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$ _____		
G. Did you purchase and receive goods valued in excess of \$50,000 from enterprises who received the goods directly from points outside your State? If less than \$50,000, indicate amount. \$ _____		
H. Gross Revenues from all sales or performance of services (Check the largest amount) <input type="checkbox"/> \$100,000 <input type="checkbox"/> \$250,000 <input type="checkbox"/> \$500,000 <input type="checkbox"/> \$1,000,000 or more If less than \$100,000, indicate amount.		
I. Did you begin operations within the last 12 months? If yes, specify date: _____		

10. ARE YOU A MEMBER OF AN ASSOCIATION OR OTHER EMPLOYER GROUP THAT ENGAGES IN COLLECTIVE BARGAINING?

☐ YES ☐ NO (If yes, name and address of association or group).

11. REPRESENTATIVE BEST QUALIFIED TO GIVE FURTHER INFORMATION ABOUT YOUR OPERATIONS

NAME	TITLE	E-MAIL ADDRESS	TEL. NUMBER
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12. AUTHORIZED REPRESENTATIVE COMPLETING THIS QUESTIONNAIRE

NAME AND TITLE (Type or Print)	SIGNATURE	E-MAIL ADDRESS	DATE
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PRIVACY ACT STATEMENT

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UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

MCDONALD'S

Charged Party

and

(b) (6), (b) (7)(C)

Charging Party

Case 10-CA-290959

AFFIDAVIT OF SERVICE OF CHARGE AGAINST EMPLOYER

I, the undersigned employee of the National Labor Relations Board, state under oath that on February 22, 2022, I served the above-entitled document(s) by post-paid regular mail upon the following persons, addressed to them at the following addresses:

McDonald's
3435 SC 153
Piedmont, SC 29673

February 22, 2022

Date

Verone Van, Designated Agent of NLRB

Name

/s/ Verone Van

Signature



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

SUBREGION 11
4035 University Pkwy Ste 200
Winston Salem, NC 27106-3275

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February 22, 2022

(b) (6), (b) (7)(C)

Re: McDonald's
Case 10-CA-290959

Dear (b) (6), (b) (7)(C)

The charge that you filed in this case on February 22, 2022 has been docketed as case number 10-CA-290959. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Attorney Whitney L. Mosley-Moore whose telephone number is (336)582-7126. If this Board agent is not available, you may contact Deputy Regional Attorney Lisa R. Shearin whose telephone number is (336)582-7142.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, www.nlrb.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

Preservation of all Potential Evidence: Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

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We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink, appearing to read 'L. Henderson', with a long horizontal line extending to the right.

LISA Y. HENDERSON
Regional Director

From: [Mosley-Moore, Whitney L.](#)
To: (b) (6), (b) (7)(C)
Subject: Contact Requested - Filed NLRB Charge - 10-CA-290959 (McDonalds, Piedmont, NC)
Date: Wednesday, February 23, 2022 4:54:00 PM

(b) (6), (b) (7)(C)

I hope this email finds you well.

I briefly spoke with (b) (6), (b) (7)(C) today. Once learning of (b) (6), (b) (7)(C) I concluded the conversation.

I tried to reach you by phone. At your earliest convenience, please return my call at 336-582-7126 so that we can discuss the next steps.

Sincerely,

Whitney L. Mosley-Moore
Field Attorney
National Labor Relations Board - Subregion 11
4035 University Parkway, Suite 200
Winston-Salem, NC 27106-3325
Office: (336) 582-7126
Fax: (336) 631-5210
Click [here](#) to E-FILE documents, charges, and petitions.

From: [Henderson, Lisa Y.](#)
To: [Shearin, Lisa R.](#)
Cc: [Mosley-Moore, Whitney L.](#); [Wolfe, Jordan](#)
Subject: Re: Ethics Inquiry - 10-CA-290959 (McDonalds, Piedmont, SC)-Lisa H. for your response
Date: Tuesday, March 1, 2022 6:35:44 PM

Yes, please submit. Thanks for bringing this to our attention promptly, Whitney.

Get [Outlook for iOS](#)

From: Shearin, Lisa R. <Lisa.Shearin@nlrb.gov>
Sent: Tuesday, March 1, 2022 3:54:10 PM
To: Henderson, Lisa Y. <Lisa.Henderson@nlrb.gov>
Cc: Mosley-Moore, Whitney L. <Whitney.Mosley-Moore@nlrb.gov>; Wolfe, Jordan <Jordan.Wolfe@nlrb.gov>
Subject: RE: Ethics Inquiry - 10-CA-290959 (McDonalds, Piedmont, SC)-Lisa H. for your response

I agree with the recommendation below and seek authorization for Whitney to submit a form to ethics. Lisa H. do we have your approval for Whitney to submit that inquiry?

Thanks.

Lisa

From: Mosley-Moore, Whitney L. <Whitney.Mosley-Moore@nlrb.gov>
Sent: Tuesday, March 1, 2022 12:59 PM
To: Shearin, Lisa R. <Lisa.Shearin@nlrb.gov>
Cc: Wolfe, Jordan <Jordan.Wolfe@nlrb.gov>
Subject: Ethics Inquiry - 10-CA-290959 (McDonalds, Piedmont, SC)

Lisa:

I was assigned a case that involves a (b) (6), (b) (7)(C) and I am concerned about how to move forward given Monday's "Tip of the Month" from the Ethics Department. I recommend that a form be filled out for the Ethics Department to review. Do I have authorization to proceed?

Brief Summary

-

On February 22, 2022, (b) (6), (b) (7)(C) filed a charge alleging that McDonald's threatened (b) (6), (b) (7)(C) with termination should (b) (6), (b) (7)(C) ever discuss (b) (6), (b) (7)(C) wages with (b) (6), (b) (7)(C) co-workers in violation of Section 8(a)(1) of the Act. It's important to note that the filed charge lists an email address for (b) (6), (b) (7)(C) and the signature is illegible.

I called the number listed on the charge to speak with CP (b) (6), (b) (7)(C) on Friday, February 25, 2022, and (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) answered. (b) (6), (b) (7)(C) told me that (b) (6), (b) (7)(C) helped (b) (6), (b) (7)(C) file the charge online and that (b) (6), (b) (7)(C) was in (b) (6), (b) (7)(C) gave me (b) (6), (b) (7)(C) cell phone number and said that "we will be

around” in regards to me speaking with (b) (6), (b) (7)(C). After a few tries, I was able to speak with (b) (6), (b) (7)(C) and upon introducing myself, (b) (6), (b) (7)(C) blurted out, “I didn’t know (b) (6), (b) (7)(C) was doing this, I don’t want to cause any problems. I like my (b) (6), (b) (7)(C) is nice to me.” Before I could speak, (b) (6), (b) (7)(C) went on to say: “My (b) (6), (b) (7)(C) told me not to tell anyone what I’m getting paid because they are paying me the same as my best friend and if I tell anyone, everyone involved in the conversation will be immediately fired. I told (b) (6), (b) (7)(C) what (b) (6), (b) (7)(C) said when I left the interview and (b) (6), (b) (7)(C) told (b) (6), (b) (7)(C).”

At that point, I asked (b) (6), (b) (7)(C) to tell me (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) told me that (b) (6), (b) (7)(C) is (b) (6), (b) (7)(C). I told (b) (6), (b) (7)(C) that I couldn’t speak with (b) (6), (b) (7)(C). I asked if (b) (6), (b) (7)(C) were around and (b) (6), (b) (7)(C) said that (b) (6), (b) (7)(C) was on the bus. I immediately ended the conversation.

I called (b) (6), (b) (7)(C) back and told (b) (6), (b) (7)(C) that I would need to speak with (b) (6), (b) (7)(C) since (b) (6), (b) (7)(C) is a (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) responded that (b) (6), (b) (7)(C) understood and that (b) (6), (b) (7)(C) knew (b) (6), (b) (7)(C) filed the charge. I told (b) (6), (b) (7)(C) that I would need to take (b) (6), (b) (7)(C) affidavit since (b) (6), (b) (7)(C) witnessed the conversation and that it would be conducted via Zoom with (b) (6), (b) (7)(C) and a (b) (6), (b) (7)(C). At that time, I also informed (b) (6), (b) (7)(C) that (b) (6), (b) (7)(C) said that (b) (6), (b) (7)(C) didn’t know that (b) (6), (b) (7)(C) had filed the charge and it appeared that (b) (6), (b) (7)(C) did not want to participate. (b) (6), (b) (7)(C) said that (b) (6), (b) (7)(C) does want to participate and that they want to move forward with the charge. We then discussed scheduling and (b) (6), (b) (7)(C) asked for the affidavit interview to be on a (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) said that (b) (6), (b) (7)(C) would email me their availability for this week. To date, I have not heard from (b) (6), (b) (7)(C).

How should I proceed given that (b) (6), (b) (7)(C) is a (b) (6), (b) (7)(C) says (b) (6), (b) (7)(C) didn’t file the charge, and seemingly doesn’t want to participate as a witness?

Thanks,

Whitney L. Mosley-Moore
Field Attorney
National Labor Relations Board - Subregion 11
4035 University Parkway, Suite 200
Winston-Salem, NC 27106-3325
Office: (336) 582-7126
Fax: (336) 631-5210
Click [here](#) to E-FILE documents, charges, and petitions.

From: [Wolfe, Jordan](#)
To: [Mosley-Moore, Whitney L.](#)
Subject: FW: Starting, going until robably until between 4-5
Date: Tuesday, March 1, 2022 11:57:15 AM

Can you put this email chain in the case file? Thanks!

From: Wolfe, Jordan
Sent: Tuesday, March 1, 2022 9:00 AM
To: Shearin, Lisa R. <Lisa.Shearin@nlrb.gov>
Subject: RE: Starting, going until robably until between 4-5

OK, gotcha.

From: Shearin, Lisa R. <Lisa.Shearin@nlrb.gov>
Sent: Tuesday, March 1, 2022 8:59 AM
To: Wolfe, Jordan <Jordan.Wolfe@nlrb.gov>
Subject: RE: Starting, going until robably until between 4-5

Ok but whatever we decide a blurb will need to go to Lisa H. after. She will have to agree.

I'm assuming we are using forms for ethics now.

I know she is swamped with interviews also so I think that will be the best way.

From: Wolfe, Jordan <Jordan.Wolfe@nlrb.gov>
Sent: Tuesday, March 1, 2022 8:16 AM
To: Shearin, Lisa R. <Lisa.Shearin@nlrb.gov>
Subject: RE: Starting, going until robably until between 4-5

Can you do a quick call at 11? Whitney has something we think has to go to Ethics.

From: Shearin, Lisa R. <Lisa.Shearin@nlrb.gov>
Sent: Tuesday, March 1, 2022 8:15 AM
To: Henderson, Lisa Y. <Lisa.Henderson@nlrb.gov>
Cc: Meares, Shannon R. <Shannon.Meares@nlrb.gov>; Wolfe, Jordan <Jordan.Wolfe@nlrb.gov>; Sagucio, Neil <Neil.Sagucio@nlrb.gov>
Subject: Starting, going until robably until between 4-5

From: [Shearin, Lisa R.](#)
To: [Mosley-Moore, Whitney L.](#)
Subject: RE: General Ethics Inquiry Form # (b) (6), (b) (7) - Case # 10-CA-290959 submission complete
Date: Friday, March 4, 2022 10:38:42 AM

Thanks.

From: Mosley-Moore, Whitney L. <Whitney.Mosley-Moore@nlrb.gov>
Sent: Friday, March 4, 2022 10:38 AM
To: Shearin, Lisa R. <Lisa.Shearin@nlrb.gov>
Subject: FW: General Ethics Inquiry Form # (b) (6), (b) (7) - Case # 10-CA-290959 submission complete

Lisa:

I have submitted the Ethics inquiry for the McDonald's case involving a (b) (6), (b) (7)(C) I will be sure to keep you updated.

Thanks,

Whitney L. Mosley-Moore
Field Attorney
National Labor Relations Board - Subregion 11
4035 University Parkway, Suite 200
Winston-Salem, NC 27106-3325
Office: (336) 582-7126
Fax: (336) 631-5210
Click [here](#) to E-FILE documents, charges, and petitions.

From: NLRB System Notification <PowerPlatformService@nlrb.gov>
Sent: Friday, March 4, 2022 10:34 AM
To: Mosley-Moore, Whitney L. <Whitney.Mosley-Moore@nlrb.gov>
Cc: Henderson, Lisa Y. <Lisa.Henderson@nlrb.gov>; Shearin, Lisa R. <Lisa.Shearin@nlrb.gov>
Subject: General Ethics Inquiry Form # (b) (6), (b) (7) Case # 10-CA-290959 submission complete



The following is a message from
Office of Ethics

This message acknowledges that General Ethics Inquiry Form # (b) (6), (b) (7) has been successfully submitted. Someone from the Ethics Office will follow-up with you shortly.

To review the General Ethics Inquiry Form # (b) (6), (b) (7), click [here](#).

Case Name: McDonald's

Case Number: 10-CA-290959

Description: Brief Summary On February 22, 2022, (b) (6), (b) (7)(C) filed a charge alleging that McDonald's threatened (b) (6), (b) (7)(C) with termination should (b) (6), (b) (7)(C) ever discuss (b) (6), (b) (7)(C) wages with (b) (6), (b) (7)(C) co-workers in violation of Section 8(a)(1) of the Act. It's important to note that the filed charge lists an email address for (b) (6), (b) (7)(C) and the signature is illegible. I called the number listed on the charge to speak with CP (b) (6), (b) (7)(C) on Friday, February 25, 2022, and (b) (6), (b) (7)(C) answered. (b) (6), (b) (7)(C) told me that (b) (6), (b) (7)(C) helped (b) (6), (b) (7)(C) file the charge online and that (b) (6), (b) (7)(C) was in (b) (6), (b) (7)(C) gave me (b) (6), (b) (7)(C) cell phone number and said that "we will be around" in regards to me speaking with (b) (6), (b) (7)(C). After a few tries, I was able to speak with (b) (6), (b) (7)(C) and upon introducing myself, (b) (6), (b) (7)(C) blurted out, "I didn't know (b) (6), (b) (7)(C) was doing this, I don't want to cause any problems. I like my (b) (6), (b) (7)(C) is nice to me." Before I could speak, (b) (6), (b) (7)(C) went on to say: "My (b) (6), (b) (7)(C) told me not to tell anyone what I'm getting paid because they are paying me the same as my best friend and if I tell anyone, everyone involved in the conversation will be immediately fired. I told (b) (6), (b) (7)(C) what the (b) (6), (b) (7)(C) said when I left the interview and (b) (6), (b) (7)(C) told (b) (6), (b) (7)(C). At that point, I asked (b) (6), (b) (7)(C) to tell me (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) told me that (b) (6), (b) (7)(C) is (b) (6), (b) (7)(C). I told (b) (6), (b) (7)(C) that I couldn't speak with (b) (6), (b) (7)(C). I asked if (b) (6), (b) (7)(C) were around and (b) (6), (b) (7)(C) said that (b) (6), (b) (7)(C) was on the bus. I immediately ended the conversation. I called (b) (6), (b) (7)(C) back and told (b) (6), (b) (7)(C) that I would need to speak with (b) (6), (b) (7)(C) since (b) (6), (b) (7)(C) is a (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) responded that (b) (6), (b) (7)(C) understood and that (b) (6), (b) (7)(C) knew (b) (6), (b) (7)(C) filed the charge. I told (b) (6), (b) (7)(C) that I would need to take (b) (6), (b) (7)(C) affidavit since (b) (6), (b) (7)(C) witnessed the conversation and that it would be conducted via Zoom with (b) (6), (b) (7)(C) and a (b) (6), (b) (7)(C). At that time, I also informed (b) (6), (b) (7)(C) that (b) (6), (b) (7)(C) said that (b) (6), (b) (7)(C) didn't know that (b) (6), (b) (7)(C) had filed the charge and it appeared that (b) (6), (b) (7)(C) did not want to participate. (b) (6), (b) (7)(C) said that (b) (6), (b) (7)(C) does want to participate and that they want to move forward with the charge. We then discussed scheduling and (b) (6), (b) (7)(C) asked for the affidavit interview to be on a (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) said that (b) (6), (b) (7)(C) would email me their availability for this week. To date, I have not heard from (b) (6), (b) (7)(C). How should I proceed given that (b) (6), (b) (7)(C) is a (b) (6), (b) (7)(C) says (b) (6), (b) (7)(C) didn't file the charge, and seemingly doesn't want to participate as a witness?

If you would like to withdraw your submission, please forward this message to ethics@nlrb.gov and include WITHDRAW in the Subject line.

Thank you,

Ethics Office

Please note: Replies to this mailbox are not monitored.

This e-mail and any attachments may contain confidential and/or proprietary information. If you received this e-mail in error, please notify Office of Ethics immediately at ethics@nlrb.gov and delete the e-mail and any attachments; any further use of such e-mail or attachments is strictly prohibited.

From: [Mosley-Moore, Whitney L.](#)
To: (b) (6), (b) (7)(C)
Subject: Return Call Requested - NLRB 10-CA-290959 (McDonald's, Piedmont, SC)
Date: Monday, March 7, 2022 3:55:00 PM

Dear (b) (6), (b) (7)(C)

I hope this email finds you well and in good health and spirits.

On February 23, 2022, you and I discussed that you were going to get back with me via email on dates to schedule (b) (6), (b) (7)(C) affidavit interview. It is imperative that we have (b) (6), (b) (7)(C) affidavit in order to proceed with the investigation.

Please email or call me by **4:30 PM on Wednesday, March 9, 2022** to schedule (b) (6), (b) (7)(C) affidavit interview. If you would like to withdraw the charge, please let me know. Should you decide to withdraw, please note that you may refile the charge when you are able to provide supporting documents.

I look forward to hearing from you soon.

Sincerely,

Whitney L. Mosley-Moore
Field Attorney
National Labor Relations Board - Subregion 11
4035 University Parkway, Suite 200
Winston-Salem, NC 27106-3325
Office: (336) 582-7126
Fax: (336) 631-5210
Click [here](#) to E-FILE documents, charges, and petitions.

From: [Mosley-Moore, Whitney L.](#)
To: [White, Joel](#)
Subject: Ethics Suggested Email to (b) for Review & Approval
Date: Monday, March 7, 2022 3:22:00 PM

Dear (b) (6), (b) (7)(C)

This unfair labor practice charge was filed on February 22, 2022. The basic requirement of a party filing a charge with the National Labor Relations Board is that the party must **swiftly** furnish sufficient evidence to establish that a possible violation of the National Labor Relations Act has been committed. To date, you have not met that requirement. Since our last conversation on February 23, 2022, I have been awaiting an email from you on dates to schedule the affidavit interview so that (b) (6), (b) (7)(C) can provide (b) (6), (b) (7)(C) statement and any additional evidence to support the allegations in the charge. You have not scheduled a time to talk to me and the investigation cannot begin until this information is provided.

I can extend your time to present evidence to support your allegations until **4:30 PM on Wednesday, March 9, 2022**. By this date, you should have scheduled a date and time so that (b) (6), (b) (7)(C) can provide a statement to me. Any evidence you wish to be considered in this case should be added to your case file (by E-file at www.nlrb.gov) no later than this same date. If you have failed to submit any evidence or contact me to provide your written statement by this date, **I will recommend that this charge be dismissed based on your lack of cooperation**. If you are not able to provide evidence to support your allegations at this time and would like to **withdraw your charge**, rather than having it dismissed based on your lack of cooperation, please let me know.

I thank you in advance for your cooperation.

Sincerely,

Whitney L. Mosley-Moore
Field Attorney
National Labor Relations Board - Subregion 11
4035 University Parkway, Suite 200
Winston-Salem, NC 27106-3325
Office: (336) 582-7126
Fax: (336) 631-5210
Click [here](#) to E-FILE documents, charges, and petitions.

Case Name: McDonald's
Case No.: 10-CA-290959
Agent: Field Attorney WHITNEY L. Mosley-Moore

CASEHANDLING LOG

Date	Person Contacted	Method of Contact	Description of Contact or Activity
2/23	CP (b) (5), (b) (6), (b) (7)(C)	Phone (b) (5), (b) (6), (b) (7)(C)	Called to speak with CP (b) (5), (b) (6), (b) (7)(C) [REDACTED] . Gave my number for a return call.
2/23	CP (b) (5), (b) (6), (b) (7)(C)	Phone	CP (b) (5), (b) (6), (b) (7)(C) returned my call and left a vm. I called CP (b) (5), (b) (6), (b) (7)(C) back [REDACTED]
2/23	Acting OIC Joel White and Acting Supervising Attorney Jordan Wolfe	Phone	I called to ask how to address the issues of [REDACTED]

Date	Person Contacted	Method of Contact	Description of Contact or Activity
2/23	(b) (5), (b) (6), (b) (7)(C)	Phone	<p>Called (b) (5), (b) (6) no answer. Lft vm for a return call.</p> <p>Followed up with an email to (b) (5), (b) (6), (b) (7)(C)</p> <p>Uploaded in NxGen.</p> <p>(b) (5), (b) (6), (b) (7)(C)</p>
3/1	Acting Supervisor Jordan Wolfe and Acting OIC Lisa Shearin	Phone	<p>Discussed case and Shearin instructed me to write a brief summary of case issue and email to her for initial approval before submission to L. Henderson for final approval to send to Ethics Dept.</p> <p>L. Henderson approved.</p> <p>Uploaded in Nx Gen.</p>
3/4	Ethics Dept.		<p>Submitted inquiry to Ethics.</p> <p>Uploaded in NxGen.</p>
3/7	Marta Noava and Jamal Allen from Ethics, Acting Supervisor Joel White and Reg. Dir. Lisa Henderson	Phone	<p>Ethics called a meeting to discuss how to move forward – Instructed to issue a dismissal warning for lack of cooperation to (b) (6), (b) (7)</p> <p>(b) (5), (b) (6), (b) (7)(C)</p> <p>Drafted email as suggested and sent to White</p>

Date	Person Contacted	Method of Contact	Description of Contact or Activity
			for review and approval. White called to review email and suggested (b) (5), (b) (6), (b) (7)(C) Uploaded in NxGen.
3/7	(b) (5), (b) (6), (b) (7)(C)	Email	Email requesting (b) (5), (b) (6), (b) (7)(C) make contact by 4:30 pm on 3/9.
3/9	CP (b) (5), (b) (6), (b) (7)(C)	Phone	Called (b) (5), (b) (6), (b) (7)(C) to see if (b) (5) received my email and (b) (5) said that (b) (5) did, and that (b) (5), (b) (6), (b) (7)(C)
3/9	Bailey Johnson, Counsel for McDonald's, Inc.	Phone	Received a vm from Bailey Johnson, counsel for McDonald's Inc. requesting more info on the charge (if the charge is against a franchise or the corporation, and requesting the name of the charging party). *3/10 – Called Johnson back, no answer. Lft vm for a return call.



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

SUBREGION 11
4035 University Pkwy Ste 200
Winston Salem, NC 27106-3275

Agency Website: www.nlr.gov
Telephone: (336)631-5201
Fax: (336)631-5210

March 11, 2022

McDonald's
3435 SC 153
Piedmont, SC 29673

Re: McDonald's
Case 10-CA-290959

Dear Sir or Madam:

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "LH", with a long horizontal stroke extending to the right.

LISA Y. HENDERSON
Regional Director

cc: (b) (5), (b) (6), (b) (7)(C)

